

REMARKS

The office action of 03/22/04 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1 through 7 remain in this case.

The numbered paragraphs below correspond to the numbered paragraphs in the Office Action.

Rejection(s) under 35 U.S.C. §103

2. Claims 1, 2, 5, 6 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over McIntosh (USPN 4,402,676) in view of Nagin (USPN 3,672,237).

Applicant respectfully disagrees. Applicant's invention is a compression-type inverted tooth chain. That is, conventional chains, such as those in the McIntosh reference, transfer force by having the driving sprocket pull on the chain. Force is transferred from one link to the next, through the pins, by the tension of the chain. In contrast, Applicant's invention transfers force by pushing on the chain - that is, by compression of the guide links.

McIntosh, as noted above, is a conventional tension chain, which cannot transfer force by compression since the outside links are not in contact with one another - see figure 1 of McIntosh.

Nagin does not provide what McIntosh lacks. Nagin discloses a linear actuator for moving a forklift up and down. Referring to Figures 1 and 2, the actuator chain passes around shaft 8 that carries a pair of sprockets 13 with teeth 14. The teeth 14 are meshed with the outer series of rollers 2. However, this is **not** a chain for transmission of power from a driving sprocket having teeth to a driven sprocket having teeth. The sprockets 13 may only be driving sprockets or driven sprockets and do not act independently of each other within the pair, since the chain is not endless.

Applicant's claim 1 states,

"a) a plurality of sprocket-engaging blocks (4) having a body with a sides and a thickness therebetween, an upper surface, and teeth opposite the upper surface,

should also be allowable for that reason, as well as for the additional recitations they contain. Reconsideration and withdrawal of the rejection are respectfully requested.

3. Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over McIntosh in view of Nagin as applied to claims 1, 2, 5, and 7 in further view of Henderson (USPN 4,595,385).

Applicant respectfully disagrees. The arguments regarding the McIntosh in view of Nagin are repeated here by reference.

Henderson discloses a V-belt for continuously variable transmissions, where the "V" is formed by transverse elements carried by a toothed flexible belt. The belt is not driven by sprockets contacting inverted teeth, but rather by the sheaves pressing on the sides of the transverse elements. There are no toothed links or guide links, therefore there could not be any pins running between pairs of guide links as required by claim 3.

Therefore, it is respectfully suggested that the rejection of claim 3 as being anticipated by McIntosh (USPN 4,404,676) in view of Nagin (USPN 3,672,237) as applied to claims 1, 2, 5, and 7 in further view of Henderson (USPN 5,595,385) is overcome. Reconsideration and withdrawal of the rejection is respectfully requested.

4. Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over McIntosh in view of Nagin as applied to claims 1, 2, 5, and 7 in further view of Mott (USPN 5,993,345).

Applicant respectfully disagrees. The arguments regarding the McIntosh in view of Nagin, are repeated here by reference.

Mott is a compression chain, which uses two laminated retaining bands (106) to retain the load blocks. This is not uncommon in compression-type CVT belts. However, Mott does not have toothed links or guide links of the form required by claim 1.

Therefore, it is respectfully suggested that the rejection of claim 4 as being anticipated by McIntosh (USPN 4,404,676) in view of Nagin (USPN 3,672,237) as applied to claims 1, 2, 5, and 7 in further view of Mott (USPN 5,993,345) is overcome. Reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

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